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on December 16, 2004


Gerard J. McGowan, Jr.
Reg. No. 29,412
Attorney for Applicant

December 16, 2004
Date of Signature

PATENT

UNUS #99-0334-UNI
CASE #F3238(C)

DEC 16 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Bakker et al.
SERIAL NO.: 09/577,306
FILED: May 24, 2000
FOR: Process and Apparatus for Production of a Frozen Food Product

GROUP: 1723
EXAMINER: D. Sorkin
EDGEWATER, NEW JERSEY 07020

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

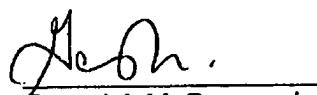
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the decision dated September 16, 2004 of the Primary Examiner final rejection of claims 5, 6, 15 and 20.

The item(s) check below are appropriate:

- A timely response to the final Rejection has been filed.
- An Extension of Time to respond to the Final Rejection was requested for three months.
- An Extension of Time to file a Notice of Appeal was granted for one month(s).
- Charge statutory fee of \$340.00 to Deposit Account No. 12-1155. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.


Gerard J. McGowan, Jr.
Attorney for Applicant
Registration No. 29,412

GJM/pod
201-894-2297